



Republican Majority Campaign Re (RR 15L-19)

Randy Goodwin

to:

mdebeau@fec.gov

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FEDERAL ELECTION
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CELA

Federal Election Commission

Office of Complaints Examination & Legal Administration

Attn: Mary Beth deBeau

Dear Ms. deBeau:

My name is Randy Goodwin. I am the treasurer of the Republican Majority Campaign Political Action Committee (RMC PAC).

I appreciate the opportunity to add further comments to the record concerning RR 15L-19.

To recap: On the deadline day for filing the First Quarter Report in 2014, I spent about 4 hours preparing the RMC PAC report on FEC File. My first attempt to upload the report was unsuccessful. I repeated the upload procedure and something occurred that caused the data to disappear from the report. During my attempts to recover the data, an image of the report appeared on my screen which appeared to contain the missing data. I was relieved and proceeded immediately to upload the report. I got the usual confirmation that the report was filed. Three months later, when I was about to file the Second Quarter report, I discovered that the First Quarter Report contained no data whatsoever. I immediately filed an amendment with all the missing data.

I can't be certain how the data was lost but I do strongly believe that it could have been a glitch in the software. I have gone over the circumstances in my mind and just can't see how anything I did at the time could have caused the data loss. However, I am not ruling out that I could have somehow accidentally erased the data. It is difficult for me to see how it could have happened and I can honestly say that I wouldn't know how to do it intentionally if I wanted to.

If it was a software glitch, it wouldn't have been the first one I encountered with FEC File. I can only say that I did spend those hours entering data and made a good faith effort to file the report on time but either through a quirk in the program or some inadvertent action on my part, the data was lost.

I realize that this is a serious issue because of the amount of money involved and because it took three months to discover the problem.

From my point of view the mitigating factors are as follows:

1. I have been a committee treasurer continuously for over 33 years. I have a decades long track record of filing complete reports on time for all the committees for which I served as treasurer and I have never had a serious problem with my reports.

2. As soon as I discovered the problem I immediately filed an amendment to correct the record.

3. The report was not election-sensitive. No purpose was served by filing an incomplete report.

4. Even though I have grown to appreciate FEC File, as it has improved over the years, it has had some serious flaws. I have had my share of long conversations with FEC techs trying fix serious documented glitches in FEC File.

5. I do not expect that this problem would ever recur. For my part, I have taken steps to insure that this won't happen again. It is now part of my filing procedure to double check the contents of the reports after they are filed to make sure they contain the proper data. That is the surest way I know of guaranteeing that this problem will not be repeated.

If, in light of what I have presented, it is felt that there must be a penalty assessed against our committee, I would respectfully request that a conciliation agreement be entered into that would reflect the facts and circumstances of this situation.

I have looked at the Administrative Fine Calculator and I came up with a fine of \$12,000 to \$14,000 for this situation. Considering the mitigating factors I have cited, I do not believe a fine of this magnitude would be just.

However, because the cause of the problem cannot be determined with certainty, I would be willing to accept a penalty commensurate with the nature of the violation.

I would also undertake to assure the Commission that steps have been taken to prevent this problem from happening again.

I believe that a penalty in the \$2,000 - \$2,500 range is large enough to be significant without being so large as to be unreasonable in the circumstances.

What happened is not in dispute. How it happened is not certain. It is a matter of coming to a fair resolution so that future problems be prevented and that the public interest is served by the outcome.

I am willing to work with you to achieve that result.

Sincerely,

Randy Goodwin
Treasurer
Republican Majority Campaign